



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 6

**1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733**

April 3, 2014

Maria T. Garcia
Forest Supervisor
Santa Fe National Forest
11 Forest Lane
Santa Fe, NM 87508

Ms. Garcia,

In accordance with our responsibilities under Section 309 of the Clean Air Act (CAA), the National Environmental Policy Act (NEPA), and the Council on Environmental Quality (CEQ) regulations for implementing NEPA, the U.S. Environmental Protection Agency (EPA) Region 6 office in Dallas, Texas, has completed its review of the U.S. Forest Service (USFS) Draft Environmental Impact Statement (DEIS) for the Southwest Jemez Mountains Landscape Restoration Project. The purpose of the proposed action is to restore ecosystem structure and function and increase resilience to undesirable, large-scale disturbances such as high severity wildfire, climate change, or insect outbreaks in the Southwest Jemez Mountains.

EPA rates the DSEIS as "EC-2" i.e., EPA has "environmental concerns and requests additional information" in the Final PEIS (FPEIS). The EPA's Rating System Criteria can be found at <http://www.epa.gov/compliance/nepa/comments/ratings.html>. The "EC" rating is based on the potential for adverse impacts to protected species, wild and scenic rivers, and waters of the U.S. (WUS). The "2" indicates the DSEIS does not contain sufficient information to fully assess protected species, wild and scenic rivers, and WUS. Responses to comments should be placed in a dedicated section of the FEIS and should include the specific location where the revision, if any, was made.

EPA appreciates the opportunity to review the FEIS. Please send our office one copy of the FEIS when it is electronically filed with the Office of Federal Activities. This letter will be published on the EPA website, www.epa.gov, according to our responsibility under Section 309 of the CAA to inform the public of our views on the proposed Federal action. If you have any questions or concerns, I can be reached at 214-665-8006, or contact Keith Hayden of my staff at hayden.keith@epa.gov or 214-665-2133.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rhonda Smith", is written over a horizontal line.

Rhonda Smith
Chief, Office of Planning
and Coordination

**DETAILED COMMENTS ON THE
U. S. FOREST SERVICE
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR SOUTHWEST JEMEZ MOUNTAINS
LANDSCAPE RESTORATION PROJECT**

BACKGROUND: The forest ecosystems that dominate this area, primarily ponderosa pine and dry mixed conifer forests, are highly altered from natural conditions. Decades of fire suppression, logging, grazing, and road building have changed the forests, grasslands and riparian areas. The forests lack mature and old growth trees, aspen, and openings with understory grasses, forbs and shrubs. These ecosystems are degraded and have lost resiliency, which makes them susceptible to large-scale disturbances such as severe wildfires, insect and disease outbreaks, drought, and the effects of climate change.

The Santa Fe National Forest proposes to conduct treatments that would restore the structure and function of forests and watersheds across approximately 110,000 acres of the Jemez Ranger District. The purpose of the project is to restore ecosystem structure and function and increase resilience to undesirable, large-scale disturbances such as high-severity wildfire, climate change, or insect outbreaks in the Southwest Jemez Mountains. To accomplish this, the USFS proposes to restore the landscape by mechanically treating forests, restoring meadows, using prescribed fire, and enhancing aspen stands. Other treatments would include invasive plant control, habitat improvement, and cultural resource protection.

3.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

Soil and Water Resources

The DEIS states there are “8 wetlands totaling 8 acres and 113 miles of perennial (year-round) streams and 394-miles of intermittent (flows in response to precipitation) streams. Most streams are partly perennial and partly intermittent. There are no New Mexico Outstanding Natural Resource Waters streams or wetlands in the project area”.

Recommendation:

Identify all jurisdictional WUS, including wetlands, and show them on a map. Discuss how water resources will be protected, restored, and enhanced.

4.0 CONSULTATION AND COORDINATION

Environmental Justice

There is a high potential for adverse impacts to low-income and/or minority communities due to smoke from prescribed fires under all alternatives.

Recommendation:

Although the DEIS states that residents would be notified of prescribed burn activities, USFS should provide more specific information regarding the notification process, timing, and potential health or environmental monitoring in these communities during prescribed burn events. USFS should include additional outreach and education measures to address concerns from low income or minority communities.

Tribal Resources

Due to the nature of the project, it appears the project could affect tribal resources, including natural resources, citizens, or government services. The DEIS contains documentation indicating that care was taken to identify all Tribes, tribal citizens and tribal resources that may potentially be affected and that Tribal officials for each Tribe have been contacted for government to government consultation on the full scope of potential effects.

Recommendation:

EPA recommends USFS continue ongoing tribal consultation to implement project-specific mitigation measures to protect sensitive sites, as indicated in the Tribal Relations section of the document.

Compliance with Other Laws

Coordination with several state and national agencies concerning environmental laws and executive orders is ongoing. Without specifics, and the available opinions of the agencies USFS is tasked with consulting, it is difficult to assess the potential environmental effects of the DEIS.

Recommendation:

EPA asks that USFS not release the Final EIS until all applicable permits and coordination has been finalized. Below is a list of outstanding permits or consultations that need to be completed:

- Clean Water Act § 404 permit from U.S. Army Corps of Engineers.
- Clean Water Act § 401 water quality certification from the New Mexico Environment Department.
- Clean Water Act § 402 National Pollutant Discharge Elimination System (NPDES) from EPA.
- Wild and Scenic River consultation with the National Park Service.
- National Historic Preservation Act § 106 consultation with the State of New Mexico Historic Preservation Officer.
- Endangered Species Act § 7 and Migratory Bird Treaty Act consultation with the U.S. Fish and Wildlife Service.